

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**ANNE BRUMBAUGH, GARY L. HARMON and  
RANDY K. GRIFFIN,**

**Plaintiffs,**

**v.**

**WAVE SYSTEMS CORPORATION, STEVEN K.  
SPRAGUE and GERARD T. FEENEY,**

**Defendants.**

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**CIVIL ACTION  
NO. 04-30022-MAP**

**DEFENDANTS' ASSENTED-TO MOTION  
FOR LEAVE TO EXCEED PAGE LIMIT**

Defendants Wave Systems Corporation, Steven K. Sprague and Gerard T. Feeney (“Defendants”) with the assent of Plaintiffs, respectfully move this Court for leave to submit a Memorandum of Law in Opposition to Plaintiffs’ Motion for Class Certification (“Memorandum of Law”) not to exceed 40 pages, which is in excess of the standing 20-page limit provided in Local Rule 7.1(B)(4).

As grounds for this Motion for Leave to Exceed Page Limit (“Motion”), Defendants state the following:

1. Additional pages are needed to address the adequacy and typicality of all three Lead Plaintiffs.
2. Plaintiffs assent to the relief sought by this Motion.
3. Defendants will not object to a similar request by Plaintiffs to exceed the 20-page limit allowed for Plaintiffs’ Reply to Defendants’ Memorandum of Law.

WHEREFORE, Defendants respectfully request leave to submit a Memorandum of Law in Opposition to Plaintiffs' Motion for Class Certification in excess of the 20-page limit.

Respectfully submitted,

**WAVE SYSTEMS CORPORATION, STEVEN  
K. SPRAGUE and GERARD T. FEENEY,**

By their attorneys,

/s/ Michael D. Blanchard

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Dated: June 2, 2006

**RULE 7.1(A)(2) CERTIFICATION**

I hereby certify that counsel for Defendants conferred with counsel for Plaintiffs in good faith to resolve or narrow the issues presented in this motion. Counsel for Plaintiffs does not oppose the relief sought by this motion.

/s/ Michael D. Blanchard

Michael D. Blanchard

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above pleading was electronically served upon the attorneys of record for all parties on June 2, 2006.

/s/ Michael D. Blanchard

Michael D. Blanchard